

Remarks

In view of the above amendments and the following remarks, reconsideration of the rejection and further examination are requested.

Claims 1-21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Russo (US 5,619,247) in view of Christopoulos (US 2001/0047517).

Claims 1, 8 and 15 have been amended so as to further distinguish the present invention, as recited therein, from the references relied upon in the rejection. As a result, the above-mentioned rejection is submitted to be inapplicable to the claims for the following reasons.

Claim 1 is patentable over the combination of Russo and Christopoulos, since claim 1 recites a contents distribution system including, in part, a reproduction control section operable to reproduce content with a predetermined special effect in accordance with specific data if a flag is on, and to reproduce the content without the predetermined special effect in accordance with the specific data if the flag is off, wherein the flag becomes off, when the flag is on and billing conditions contained in management data are satisfied. The combination of Russo and Christopoulos fails to disclose or suggest these features of claim 1.

Russo discloses a system in which one or more pay programs are stored at a user's side (i.e., subscriber's site) that includes a cable converter box 4 and a record/play controller 10. Regarding the payment, it can become due in one of two different ways depending on how the system is set up. In a first configuration, the payment becomes due once the majority of the program (i.e., some portion, but not the entire program) has been viewed. In a second configuration, the payment becomes due once the program is selected for viewing. (See column 3, line 46 - column 4, line 21; column 5, lines 1-32; and Figure 1).

Based on the above discussion, it is apparent that Russo discloses a system for providing and charging for pay programs. However, Russo fails to disclose or suggest that the system reproduces content with a predetermined special effect in accordance with specific data if a flag is on, and reproduces the content without the predetermined special effect in accordance with the specific data if the flag is off, wherein the flag becomes off, when the flag is on and the billing conditions contained in the management data are satisfied. As a result, Christopoulos must disclose or suggest these features of claim 1.

Regarding Christopoulos, it discloses a network that performs transcoding of multimedia data. The network includes a server 110 including a multimedia storage 113, a gateway 120

including a transcoder 125, and a client 135. The multimedia storage 113 stores multimedia data and transcoding hints, which are used for reformatting the multimedia data. If the multimedia data is a still image, the associated transcoder hints can be related to bit rate, resolution, image cropping and region of interest. When the client 135 requests the multimedia data from the server 110, the multimedia data can be reformatted by the transcoder 125 included in the gateway 135 based on the transcoding hints associated with the multimedia data and the capabilities of the client 135 prior to being forwarded to the client 135, so that the client 135 will be able to process the multimedia data. (See paragraph [0035] and [0036] and Figures 1 and 2).

In Christopoulos, a requirement of apply the transcoding hints to the multimedia-data (content-data) (see step 360 in Figure 3) is that prior to a reproduction of a content (see step 370 in Figure 3), a transcoder receives the multimedia-data, the transcoding hints and a specific address from a server (see step 335 of Figure 3), or prior to the reproduction of a content (see step 370 in Figure 3), the transcoder receives the multimedia-data and the transcoding hints which are based on the capabilities of the client/device from the server (see steps 340, 350 in Figure 3). However, it is apparent that Christopoulos does not disclose or suggest the claimed reproduction control section that is operable to reproduce the content with the predetermined special effect in accordance with the specific data if the flag is on, and to reproduce the content without the predetermined special effect in accordance with the specific data if the flag is off, wherein the flag becomes off, when the flag is on and the billing conditions contained in the management data are satisfied. As a result, claim 1 is patentable over the combination of Russo and Christopoulos.

As for claim 8, it is patentable over combination of Russo and Christopoulos for reasons similar to those discussed above in support of claim 1. That is, claim 8 recites, in part, reproducing content with a predetermined special effect in accordance with specific data if a flag is on, and reproducing the content without the predetermined special effect in accordance with the specific data if the flag is off, wherein the flag becomes off, when the flag is on and billing conditions contained in management data are satisfied, which features are not disclosed or suggested by the references.

As for claim 15, it is patentable over combination of Russo and Christopoulos for reasons similar to those discussed above in support of claim 1. That is, claim 15 recites, in part, a transmission section operable to transmit content, specific data, and management data to a

terminal device, wherein the content with a predetermined special effect in accordance with the specific data is configured to be reproduced in the terminal device if the flag is on, the content without the predetermined special effect in accordance with the specific data is configured to be reproduced in the terminal device if the flag is off, and the flag contained in the transmitted management data is configured to become off, when the flag is on and the billing conditions contained in the transmitted management data are satisfied, which features are not disclosed or suggested by the references.

Because of the above-mentioned distinctions, it is believed clear that claims 1-21 are allowable over the references relied upon in the rejection. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1-21. Therefore, it is submitted that claims 1-21 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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